

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,  
vs.**

**PHELTON WOODS,**

**Defendant.**

**CASE NO. 2:22-CR-066**

**JUDGE SARGUS**

**GOVERNMENT’S SENTENCING MEMORANDUM**

The United States of America, through the undersigned Assistant United States Attorney, respectfully submits this Sentencing Memorandum in the above captioned case.

**Guideline Calculations**

The United States believes that the probation officer has correctly calculated the advisory guideline sentencing range in this case. The probation officer determined that defendant’s total offense level is 13 and a criminal history category of I, for an advisory guideline range of 12 to 18 months imprisonment. (PSR ¶¶ 32, 36). There are no unresolved objections.

The United States Sentencing Commission has proposed a new guideline for certain zero criminal history point offenders at U.S.S.G. § 4C1.1. Based upon the proposed amendment, set to take effect November 1, 2023, it appears the defendant meets the new criteria and would be eligible for a 2-level reduction. Therefore, the defendant’s total offense level would be reduced to 11, resulting in an advisory guideline range of 8 to 14 months.

The parties have agreed that a sentence within the range of 0 to 8 months is an appropriate disposition in this case. For the reasons stated below, the government believes that a sentence within this guideline range would be sufficient but not greater than necessary to achieve the statutory goals of sentencing.

**I. 3553(a) Sentencing Factors**

*Nature and circumstances of the offense.*

This is a serious criminal offense. The investigation into this offense was conducted by agents with the United States Department of Labor, Office of Labor Management Standards (OLMS). OLMS initiated the investigation into the Columbus School Employee Association (CSEA) based upon information provided by Ohio Association of School Employees (OAPSE) Director of Accounting that a misappropriation of funds had occurred in CSEA.

The investigation disclosed that, while serving as the CSEA treasurer, PHELTON WOODS obtained CSEA funds by false pretenses by willfully misappropriating approximately \$60,685.92 in CSEA funds. CSEA is a bargaining unit that is combined from 12 local unions within the Columbus City School District, which includes approximately 3,300 members.

During the time period between December 2009 through June 2016, former CSEA Treasurer WOODS knowingly executed the scheme to defraud The Huntington National Bank, to order to obtain money and property by means of false and fraudulent representations. Woods, while in the role of Treasurer of CSEA, withdrew and spent \$60,685.92 from the Huntington National bank account for his own personal use. WOODS' fraudulent activity included writing 359 unauthorized checks from the CSEA checking account to himself, which included forged signatures; writing 16 unauthorized checks to a relative, who has no relation to the CSEA; and

making 38 unauthorized cash withdrawals. Of the 375 unauthorized checks written by WOODS to himself, or to a relative, approximately 135 checks have forged signatures of either the former President or the current President of CSEA. (PSR ¶¶ 7-13).

Woods owes restitution in this case to Travelers Bond & Specialty Insurance, Hartford, Connecticut, in the amount of \$54,363.84 and \$4,022.08 directly to CSEA. (PSR ¶¶ 11-13, 82).

*History and characteristics of the defendant.*

Defendant Woods is 72 years old. He was raised by his parents and aunt in Georgia. He is sixth of eleven siblings and was provided the basic necessities and support from his family. Woods graduated from East High School in Columbus, Ohio and earned an Associate's degree in business at Franklin University. He is a veteran of the United States Navy and has been gainfully employed through his adult life. Woods has been married four times and is currently separated from his wife. He is the father of two adult children. Woods did not report any substance abuse or mental health concerns. However, his wife did reveal that he suffers from a daily gambling addiction. (PSR ¶¶ 37-67).

Woods has zero criminal history points placing him in the lowest end of criminal history category I. (PSR ¶ 36).

Given the nature of the offense and the history and characteristics of the defendant, the government believes a sentence within the range of 0 to 8 months would be an appropriate and reasonable one.

*The need for the sentence imposed to afford adequate deterrence, reflect the seriousness of the offense, and to provide just punishment.*

The United States believes that a sentence within the range of 0 to 8 months, restitution to the victim, and participation in a treatment plan for compulsive gambling, as directed by the United States Probation Office, will reflect the seriousness of the offense and provide just punishment. This sentence will also afford adequate deterrence and protect the public from further crimes of this defendant.

II. **CONCLUSION**

For these reasons, the government believes a sentence within the 0 to 8 month range, and restitution in the amount of \$58,385.92 to the victims of the offense, would be sufficient but not greater than necessary to achieve the statutory goals of sentencing.

Respectfully submitted,

KENNETH L. PARKER  
United States Attorney

*s/Brenda S. Shoemaker*

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on December 11, 2023 service of the foregoing Sentencing Memorandum was made by electronic filing with the Clerk of the United States District Court for the Southern District of Ohio using the CM/ECF system, which will send notification of such filing to the parties listed below:

Stacey L. MacDonald, Attorney for Defendant Phelton Woods.

*s/Brenda S. Shoemaker*

BRENDA S. SHOEMAKER (0041411)